

  
Patrick M. Flatley  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG DIVISION**

**In re:**

**EDWARD C. WALLMAN  
TINA J. WALLMAN,**

**CHAPTER 7**

**DEBTORS.**

**CASE NO. 19-00957**

**SPECIALIZED LOAN SERVICING LLC,  
MOVANT,**

**vs.**

**EDWARD C. WALLMAN  
TINA J. WALLMAN,**

**RESPONDENTS.**

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

Upon consideration of the Motion for Relief from Automatic Stay filed by Specialized Loan Servicing LLC ("Movant"), no response having been filed with the Court by the Debtors, or Counsel for debtors; it is found by default as follows:

That this Court has jurisdiction pursuant to 28 U.S.C. §1334 and §157 and 11 U.S.C. §362 and this is a core matter. Further, the Secured Creditor is the current payee of a promissory note dated the March 31, 2008, in the principal amount of \$220,186.00, secured by a Deed of Trust of the same date upon property generally described in the Security Agreement as being situate in the County of Washington, Maryland, and having a mailing address of **14080 Hollow Road, Hancock, MD 21750**, ("Secured Property"). It is therefore:

**ORDERED** that the automatic stay of 11 U.S.C. §362(a) is hereby terminated as to the Debtors to permit the Movant and its successors and assigns to pursue its remedies as they exist at state law, as it pertains to and as to any purchaser at a foreclosure sale conducted at the direction of the Movant under the provisions of

the Deed of Trust dated March 31, 2008, including but not limited to pursuing loan modification or loss mitigation, regarding the real property located at **14080 Hollow Road, Hancock, MD 21750** and to pursue such remedies as it may have in its Deed of Trust whereby it obtained such lien.

**ORDERED**, that the automatic stay of 11 U.S.C. §362(a) is hereby terminated as to all parties to permit the Movant and its successors and assigns to enforce the lien of its Deed of Trust as it pertains to the real property located at **14080 Hollow Road, Hancock, MD 21750** and more particularly described as follows:

The land referred to in this policy is situated in the State of MD, County of WASHINGTON, City of HANCOCK and described as follows;

Parcel No. 1: All the following described real estate beginning in the center of Hollow Road (formerly known as Sylvan Road) at the end of the seventh line in the conveyance from Nettie L. Myers to Beatrice Georgia Spade by deed dated August 19, 1959, and recorded in Liber 350, folio 242, among the land records of Washington County, Maryland, and reversing the direction of said seventh line north 49 degrees east 208.00 feet to the end of the sixth line of said deed, thence with said sixth line reversed north 12 degrees west 326.0 feet to a post at the end of the fifth line of said deed, thence with a portion of the fifth line north 64 degrees 30 minutes west 89.0 feet, thence south 78 degrees west 154.0 feet to a point on the eastern marginal line of a ten-foot easement conveyed to Mickey R. Thompson and wife by deed dated August 6, 1966, and recorded in liber 444, folio 507 among the land records of Washington County, and with the eastern marginal line of said easement south 12 degrees east 478.0 feet to the center line of Hollow Road, and to a point in the eighth line of the aforesaid deed from Nettie L. Myers to Beatrice Spade, and reversing part of said eighth line north 61 degrees 45 minutes east approximately 4.0 feet to the place of beginning; containing 2.0 acres, more or less.

Parcel No. 2: All the following described parcel of land being conveyed for the purposes of enlargement of an existing lot and situate in election district 15, along the north side of Hollow Road, approximately 1.3 miles north of the intersection of Hollow Road with State of Route 615, in Washington County, Maryland, and being more particularly described as follows: Beginning at a concrete monument found, being a common corner with lands of Arlie G. Spade (to with this tract or parcel is being added, L. 492, F. 437) and with lands of J. Austin Mckee (L. 318, F. 582); thence with Spade's original lot or parcel south 76 degrees 17 minutes 02 seconds west 152.17 feet to a metal post, found, said post being at the northeast corner of a recorded right-of-way (L. 444, F. 507) and being a common corner with Beatrice G. Spade (L. 551, F. 730, the property from with this tract or parcel is being conveyed; thence with new division lines through the lands of Beatrice Spade the following two courses and distances north 69 degrees 18 minutes 10 seconds west 168.05 feet to an iron pin with a yellow cap, set, said iron pin intended to be on the line of J. Austin Mckee (L. 318, F. 582); thence with Mckee South 62 degrees 12 minutes 26 seconds east 502.99 feet to point of the beginning; containing a net area of 1.08 acres, more or less, as surveyed by Dennis K. Golden, P.L.S. of Warfordsburg, Pennsylvania (Maryland Surveyor number 529) and as shown on a plat of that survey entitled

Simplified Plat of "Parcel A" to be conveyed to Arline G. Spade and June 27, 1995 and being recorded as Washington County Plat No. 4698.

<redacted>

WITH THE APPURTENANCES THERETO.

<redacted>

**ORDERED** that relief is granted to allow Movant to proceed to hold a foreclosure sale on the subject property.

**ORDERED** that the Secured Property be abandoned as an asset of the estate, but if proceeds are derived from the repossession and foreclosure of the Secured Property in excess of the amount of the liens against the Secured Property and reasonable costs of the foreclosure, said excess shall be paid over to the Trustee.

It is further **ORDERED** that the fourteen (14) day stay is hereby waived and the terms of this Order are immediately enforceable.

It is further **ORDERED** that the abandonment of any and all interest in the subject real property pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure is hereby confirmed so as to allow Specialized Loan Servicing LLC, its successors and/or assigns, to take any such lawful action as may be necessary to obtain possession of said premises identified as **14080 Hollow Road, Hancock, MD 21750** and more particularly described in the Deed of Trust dated March 31, 2008 and recorded among the land records of the County of Washington, Maryland.

I ask for this:

By: /s/ D. Carol Sasser

**W. Scott Campbell**, Esquire, Bar No. 4232

**Fabio Crichigno**, Esquire, Bar No. 10074

**Robert Kelly**, Esquire, Bar No. 12917

601 Morris Street, Suite 400

Charleston, WV 25301

**Johnie R. Muncy**, Esquire, Bar No. 12790

1804 Staples Mill Road, Suite 200

Richmond, VA 23230

**D. Carol Sasser**, Esquire, Bar No. 12709

596 Lynnhaven Parkway, Suite 200

Virginia Beach, VA 23452

Samuel I. White, P.C.

Tel: (757) 490-9284

Fax: (757) 497-2802(757) 490-8143

dsasser@siwpc.com

Counsel for Specialized Loan Servicing LLC

The Clerk shall mail a copy of the entered Order to the following:

Aaron C. Amore  
Chapter 7 Trustee  
206 West Liberty Street  
Post Office Box 386  
Charles Town, WV 25414

Michael J. Novotny  
Counsel for Debtors  
36 Bakerton Road Suite 205  
Harpers Ferry, WV 25425

Edward C. Wallman and Tina J. Wallman  
Debtors  
128 Shepherds Rest Lane  
Harpers Ferry, WV 25425